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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MUTUAL PHARMACEUTICAL COMPANY, INC.; AR SCIENTIFIC, INC.; and AR HOLDING COMPANY, INC., Plaintiffs, v. WEST-WARD PHARMACEUTICAL CORP.; VISION PHARMA, LLC; and EXCELLIUM PHARMACEUTICAL, INC., Defendants.)	Civil Action No. 09-5421 (GEB)
<hr/>		ORDER
VISION PHARMA, LLC, Counter-claimant, v. AR HOLDING COMPANY, INC.; AR SCIENTIFIC, INC.; and MUTUAL PHARMACEUTICAL COMPANY, INC., Counter-defendants.)	
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BROWN, Chief Judge

This matter comes before the court on: a motion by Defendant West-Ward Pharmaceutical Corp. ("West-Ward") for summary judgment [Doc. No. 265]; a motion for a continuance to obtain additional discovery [Doc. No. 275] by Mutual Pharmaceutical Company,

Inc., AR Holding Company, Inc., and AR Scientific, Inc. (collectively "Mutual"); and Defendant Excellium Pharmaceutical, Inc.'s request to join in West-Ward's motion for summary judgment [Doc. No. 281]; and the Court having considered the parties' submissions and decided the matter without oral argument pursuant to Federal Rule of Civil Procedure 78; and for the reasons set forth in the sealed memorandum opinion accompanying this order,

IT IS THIS 5th day of October, 2010, hereby

ORDERED that West-Ward's motion for summary judgment [Doc. No. 265] is DENIED without prejudice to its ability to file another motion after the close of discovery; and it is further
ORDERED that Mutual's motion for a continuance [Doc. No. 275] is DENIED as moot; and it is further

ORDERED that Excellium Pharmaceutical, Inc.'s request to join in West-Ward's motion for summary judgment [Doc. No. 281] is DENIED as moot.

/s/ Garrett E. Brown, Jr.
GARRETT E. BROWN, JR., U.S.D.J.